

By: Dutton

H.B. No. 608

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain defendants for release on personal bond.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 17.03, Code of Criminal Procedure, is amended by amending Subsection (a) and adding Subsection (b-1) to read as follows:

(a) Except as provided by Subsection (b) or (b-1) ~~[of this article]~~, a magistrate may, in the magistrate's discretion, release the defendant on ~~[his]~~ personal bond without sureties or other security.

(b-1) Notwithstanding any other law, a magistrate shall release on personal bond a defendant who is charged with a misdemeanor unless the magistrate makes an affirmative finding of fact and files a statement of that affirmative finding with the papers in the case that extenuating circumstances justify not releasing the defendant on personal bond.

SECTION 2. The change in law made by this Act applies only to a personal bond that is executed on or after the effective date of this Act. A personal bond executed before the effective date of this Act is governed by the law in effect when the personal bond was executed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.